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PATENTS
(Attorney Docket No. 112766-199 (DIV-1460-21US))

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jay M. Short, et al.
Serial No.: 10/029,221
Filing Date: December 21, 2001
Title: DIRECTED EVOLUTION OF THERMOPHILIC ENZYMES

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ORIGINALLY FILED**

BOX MISSING PARTS
Commissioner For Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Dear Commissioner:

In response to the Notice To file Missing Parts of Application mailed on April 8, 2002, filing date granted, applicant submits the following documents for filing in the above-referenced patent application:

1. Substitute Formal Drawings, (6) Sheets, Figs. 1-6;
2. Diskette Containing Computer Readable Format of Sequence Listing;
3. Paper copy of the Sequence Listing;
4. Statement Under 37 C.F.R. § 1.821(f);
5. A copy of the Notice to File Missing Parts of Nonprovisional Application, filing date granted, mailed on April 8, 2002;
6. One-month Extension of Time; and
7. Return Postcard.

Please charge our Deposit Account No. 08-0219 the required fee of **\$370.00** (small entity basic filing fee) pursuant to 37 C.F.R. §1.16(a); and the required fee of **\$65.00** (late filing of oath surcharge) pursuant to 37 C.F.R. §1.16(e); and **\$55.00** (one-month extension fee) pursuant to C.F.R. 1.17(a)(1) for a total charge to our deposit account of **\$500.00**.

U.S.S.N. 10/029,221

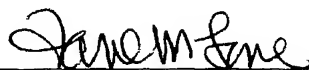
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No additional fees are believed to be due in connection with this letter. However, please charge any additional costs or credit any overpayment to maintain the pendency of this application to our Deposit Account No. 08-0219.

If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

Date: July 8, 2002



Jane M. Love, Ph.D.

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CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to BOX MISSING PARTS, Commissioner for Patents, Washington, DC 20231 on the date indicated below.

Date: July 8, 2002

By:



Jane M. Love

APR 18 2002

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JUL 15 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/029,221	12/21/2001	Jay M. Short	DIVER1460-21

CONFIRMATION NO. 4125

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FORMALITIES LETTER



OC000000007822576

Gray Cary Ware Freidenrich LLP
TECHNOLOGY'S LEGAL EDGE
Suite 1100
4365 Executive Drive
San Diego, CA 92121-2133

Date Mailed: 04/08/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/18/2002 HMARZ11 00000119 080219 10029221

FILED UNDER 37 CFR 1.53(b)

01 FC:201 370.00 CH
02 FC:205 65.00 CH

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 435.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer

readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE